STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: June 7, 2006

SITE PLAN: AFP-06-019

TITLE: TALLMAN RESIDENCE

REQUEST: Amendment to Final Plan approval for

addition and deck

ADDRESS: 10 SEVILLE WAY

ZONE: R-90 Cluster (Medium Density Residential)

APPLICANT/REPRESENTATIVE/ATTORNEY/DEVELOPER: (as applicable)

Applicant: Mr. Rick Macklin, Macklin Contracting Inc.

Owner: Mr. & Mrs. Tallman

STAFF PERSON: Rob Robinson, Planner

Enclosures:

Staff Comments

Exhibit 1: Letter from Mrs. Tallman to the Planning Commission

Exhibit 2: Aerial Location Map

Exhibit 3: Amendment to Final Plan Application Exhibit 4: House Location Plat with Scaled Additions

Exhibit 5: Notification Mailing List Exhibit 6: Proposed Addition Plan Exhibit 7: Proposed Deck Plan

STAFF COMMENTS:

Waiver Request

The Tallman family has submitted a letter (Ex.1) requesting a waiver to the Rules of Procedure so that their application may be heard on the June 7, 2006 hearing date. Staff had erroneously informed the applicant that the proposed addition needed only a residential building permit per §24-168; not aware that properties located in the R-90 Cluster Zone require an Amendment to Final Plan (AFP). Had the applicant been correctly informed, an AFP application could have been submitted in the correct amount of time for the June 7 date. The Planning Commission must make a separate motion granting this waiver prior to the review of this application.

Background

The applicant, Rick Macklin on behalf of the Tallman family, has submitted an application for Amendment to Final Plan (S-609) for 10 Seville Way of the Pheasant Run subdivision (this community does not have an architectural review board). The property is in the R-90 Cluster (Medium Density Residential) Zone. The R-90 Cluster Zone requires all additions be approved by the Planning Commission; since the setbacks are established at the time of the final site plan this is interpreted as requiring Planning Commission approval for any increases to building footprints (S-609B).

Application Request

The applicant is requesting to construct a 14-foot by 20-foot deck (Ex.7) with steps and an 11-foot by 25-foot enclosed kitchen addition (Ex.6) on the north side of the existing home. The addition will be constructed of siding and roofing materials to match the existing house. The windows are also the same design and style as on the existing house. The addition and deck are outside of the 30-foot building restriction lines required by zone.

Recommendation

Staff recommends **approval of AFP-06-019**, finding it in conformance with §24-170; §24-172; and §24-30, Chapter 24 (Zoning) of the City Ordinance.

Planning Commission City of Gaithersburg 31 South Summit Avenue Gaithersburg, MD 20877

SUBJECT: 10 Seville Way

Dear Planning Commission:

My contractor came to City Hall and was told that he just needed to apply for a permit to build an addition to my home. One week later, I was told by City staff that the addition would be required to be reviewed by the Planning Commission and that the Permit Analyst who originally handled the application had erred. Had the Permit Analyst given my contractor correct information, I would have been able to submit my application for the May 12, 2006, site plan submission date for the June Planning Commission meetings. Therefore, I am requesting the Planning Commission specifically waive this section of the Rules of Procedure with the outcome that my application be heard by the Planning Commission even though it has not been submitted within the twenty-six (26) day filing date due to an error made by City Staff.

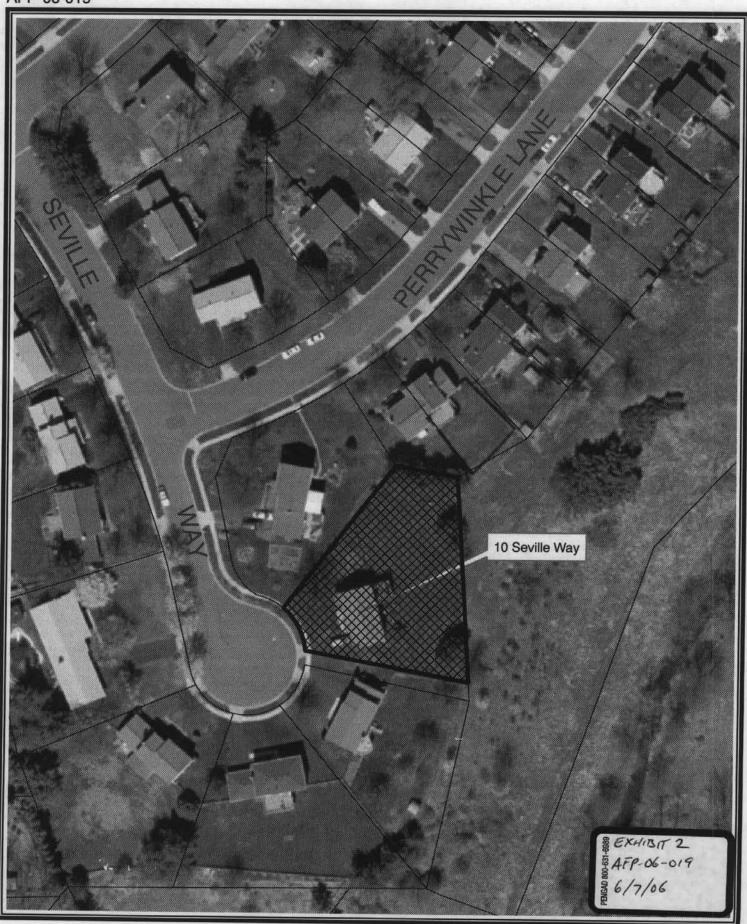
Thank you,

Aihju linn latimar

EXHIBIT 1 AFP.06-019 6/7/06

10 Seville Way

AFP-06-019





City of Gaithersburg • 31 South Summit Avenue • Gaithersburg, Maryland 20877 • Telephone: (301) 258-6330 • Fax: (301) 258-6336 plancode@gaithersburgmd.gov www.gaithersburgmd.gov

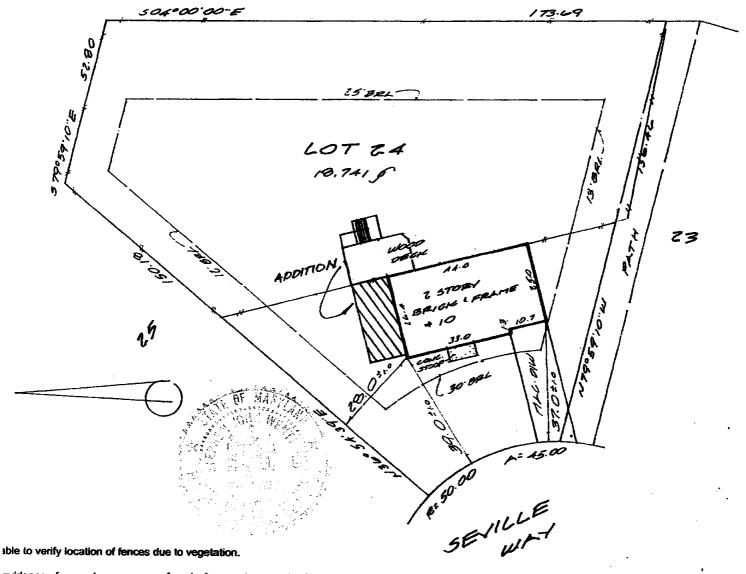
AMENDMENT TO FINAL PLAN **APPLICATION**

In accordance with Section 24, Article V of the City Code

Application # AFP -06-019
Application # AFT 00 01
Date Filed 5/19/06
Total Fee WAIVED
TWE

oject Name I A MAN reet Address 10 Seville WAY one 2-90 Cluster Historic area designation Person Property Subdivision Franchiscon	DY NO	
ax Identification Number (MUST BE FILLED IN)		
APPLICANT Rick Maddin Treet Address 23220 Woodfield School Rd. City Gaythers build Daytime Telephone 301-282-1546	State MD	Suite No Zip Code
ARCHITECT/ENGINEER/DEVELOPER Architect's Name By Hawcock Architect's Maryland Registration Number	releptions	
		00.00
treet Address	State	Zip Code
Engineer's Name	relephone	
		54.76
Street Address	State	Zip Code
Developer's Name	Telephone	
Developer's Name		
·		
CityContact Person	Telephone	No.
4. PROPERTY OWNER Name MR4 MR5 TAH MAN		
Name MR4 MRS TAHMAN Street Address 10 Sev. IIP WAY City Guitheasbazg Daytime Telephone	State MO	Suite No Zip Code
Daytime Telephone		
5. CITY PROJECT NUMBER Original Site Plan Number 5-609 Date Name of previously approved Final Plan	te Approved	EXHIBIT 3 AFP-06-019 6/7/06

PROJECT DETAIL INFORMATION a. POPULATION CHANGES (if any) Changes in population estimated due to amendment. Employee estimate: Total number Total number per shift Resident estimate: Total number Total number per dwelling unit b. PLEASE SUPPLY THE FOLLOWING INFORMATION			
DEVELOPMENT INFORMATION	N	REQUIRED	PROVIDED
Site (square feet)			
 Site Area (acres) Total Number of Dwelling Units/L 	ots		
5. Green Area (square reet) 6. Number of Dwelling Units/Acre			
7. LotCoverage (Percent)			
B. Green Area (Percent)			
9. Residential			
a. Single Family Detached	# Units		
b. Single Family Attached	# Units		
c. Multi-Family Condo	# Units		
d. Multi-Family Apartment	# Units		
e. Other			
10. Retail/Commercial	Sq. Ft.		
11. Restaurant Class: □A □B □C	Sq. Ft.		
12. Office/Professional	Sq. Ft.		
13. Warehouse/Storage	Sq. Ft.		
14. Parking			
15. Shared Parking/Waiver			
16. Other			
17. Total			



evidence of property corners was found. Apparent occupation is shown.

te: 04-11-01 Scale: / -= 30'

Scale: / = 30 Dm: 2.P.

NO TITLE REPORT FURNISHED

it No.: 13010 ork Order: 01-1984

dress: 10 SEVILLE WAY

trict: 9

O SEVILLE WAT

isdiction: MONTGOMERY COUNTY, MD

PCATION DRAWING PT 24 BLOCK 6 AT NO. 17 PEASANT RUN

TE: This plat is of benefit to a consumer only insofar as it is required by a let or a title insurance company or its agent in connection with contemptated isfer, financing or refinancing. This plat is not to be relied upon for the iblishment or location of fences, garages, buildings, or other existing or future rovements. This plat does not provide for the accurate identification of perty boundary lines, but such identification may not be required for the sfer of title or securing financing or refinancing.

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property comers is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. This property does not lie within a 100-year flood plain according to FEMA insurance maps as interpreted by the originator unless otherwise shown hereon. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

Stephen Theathold



Meridian Surveys, Inc.
811 Bussell American
88 EVHIBIT 4
159 AFF-06-019
189 6/7/06

AFR-016-019 Talirran Tel.

Mr. & Mrs. Tallman 10 SEVILLE WAY GAITHERSBURG MD 20878 OCCUPANT 11 SEVILLE WAY GAITHERSBURG MD 20878 OCCUPANT 12 SEVILLE WAY GAITHERSBURG MD 20878

OCCUPANT 15 SEVILLE WAY GAITHERSBURG MD 20878

OCCUPANT 235 PERRYWINKLE LA GAITHERSBURG MD 20878 OCCUPANT 237 PERRYWINKLE LA GAITHERSBURG MD 20878

OCCUPANT 239 PERRYWINKLE LA GAITHERSBURG MD 20878 OCCUPANT 7 RUDIS WAY GAITHERSBURG MD 20878

OCCUPANT 9 RUDIS WAY GAITHERSBURG MD 20878

OCCUPANT 5 SEVILLE WAY GAITHERSBURG MD 20878

OCCUPANT
7 SEVILLE WAY
GAITHERSBURG MD 20878

OCCUPANT 240 PERRYWINKLE LA GAITHERSBURG MD 20878

OCCUPANT 242 PERRYWINKLE LA GAITHERSBURG MD 20878 OCCUPANT 244 PERRYWINKLE LA GAITHERSBURG MD 20878

OCCUPANT 246 PERRYWINKLE LA GAITHERSBURG MD 20878

OCCUPANT 248 PERRYWINKLE LA GAITHERSBURG MD 20878 OCCUPANT 8 SEVILLE WAY GAITHERSBURG MD 20878

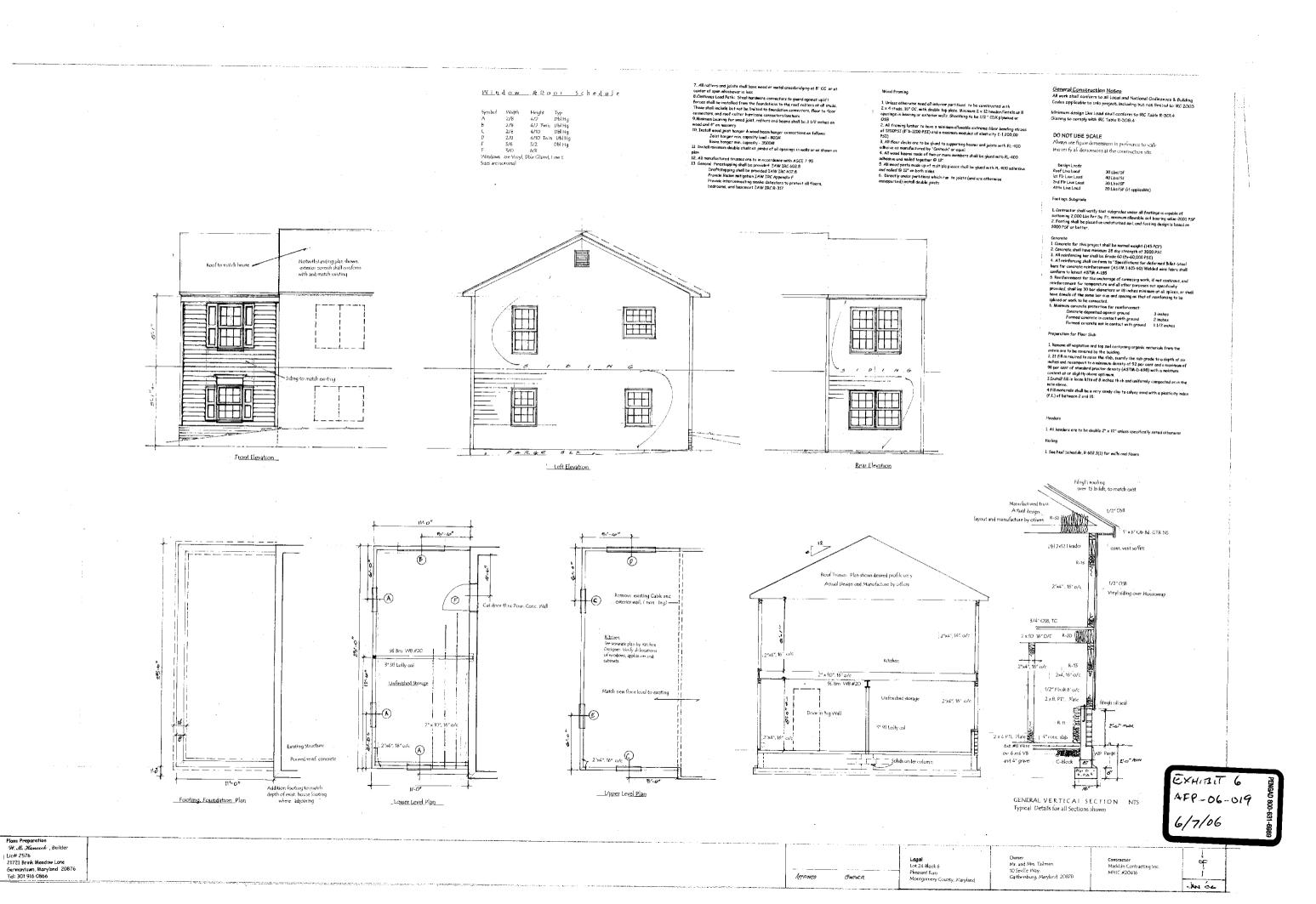
OCCUPANT
9 SEVILLE WAY
GAITHERSBURG MD 20878

RAJ K & M R PURI 11412 RIDGE MIST TER POTOMAC MD 20854 Rick Macklin MACKLIN CONTRACTING INC. 25220 WOODFIELD SCHOOL RD. GAITHERSBURG MD 20882



EXHIBIT 5
AFP-06-019
6/7/06
PENGAD 800-631-6888

PC fent. Agenda for 7- jun-06 Mig



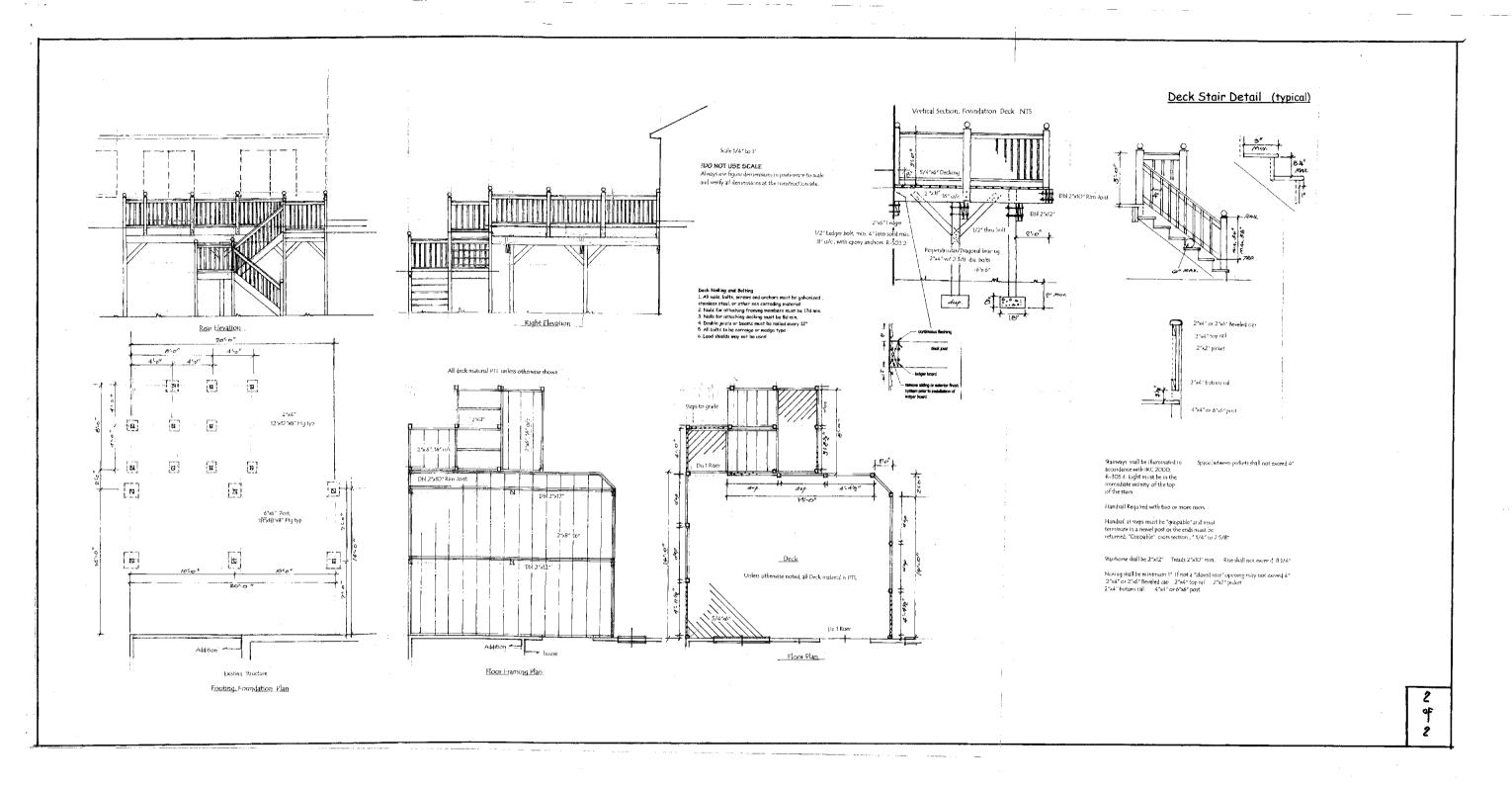


EXHIBIT 7 PRIGHT 800-631-6968
6/7/06